Docket No.: 4468-017B   PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of   :
                                              : Confirmation No. 2801
KIMURA, EIJI   :
                                              :
U.S. Patent Application No. 10/812,014   : Group Art Unit: 2877
                                              :
Filed: March 30, 2004   : Examiner: TU NGUYEN

For: OPTICAL CHARACTERISTICS MEASURING APPARATUS, METHOD AND RECORDING
      MEDIUM

Dear Sir:

Transmitted herewith is a **Response to Notice of Non-Compliant Amendment and Preliminary Amendment** in the above identified application.

☒   No additional fee is required.

☐   Small entity status of this application has been established.

☐   Also attached:

The fee has been calculated as shown below:

	NO. OF CLAIMS	HIGHEST PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	FEE
Total Claims	12	20	0	x $ 18 =	$ 0.00
Independent Claims	9	9	0	x $ 86 =	$ 0.00
		If multiple claims newly presented, add $290.00			
		Fee for extension of time			
				TOTAL FEE DUE	$ 0.00

☐   A credit card authorization form in the amount of _____ is attached

☒   The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication or credit any overpayment, to Deposit Account No. 07-1337, including any filing fees under 37 CFR 1.16 for presentation of extra claims and any patent application processing fees under 37 CFR 1.17.

Respectfully submitted,

LOWE HAUPTMAN GILMAN & BERNER, LLP

Benjamin J. Hauptman
Registration No.: 29,310

USPTO Customer No. 22429
1700 Diagonal Road, Suite 300
Alexandria, Virginia 22314
(703) 684-1111 BJH:jk
(703) 518-5499 Facsimile
Date: August 11, 2004

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KIMURA, EIJI   :
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U.S. Patent Application No.:10/812,014   :Group Art Unit: 2877
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Filed: March 30, 2004   :Examiner: Nguyen, Tu T.

For: OPTICAL CHARACTERISTICS MEASURING APPARATUS, METHOD AND
        RECORDING MEDIUM

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT
AND PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice of Non-Compliant Amendment mailed July 13, 2004, please enter the following Preliminary Amendment, as follows:

Amendments to the Claims begin on page 2 of this paper

Remarks/Arguments begin on page 9 of this paper.